

502: Complaint Investigations

- A. The LTCOP and its LTCOs investigate complaints in order to verify the truth of the complaint and to gather information to resolve it. The investigation shall be conducted in a timely and thorough manner in order to:
 - 1. identify the relevant issue areas raised by the complaint;
 - 2. assemble all necessary facts;
 - 3. determine the validity of the complaint; and
 - 4. seek resolution of the complaint.
- B. The LTCO shall seek the following information during the investigation of a complaint or problem:
 - 1. what has occurred or is occurring;
 - 2. when it occurred and whether the occurrence is on-going;
 - 3. where it occurred;
 - 4. who was involved;
 - 5. effect of the occurrence on resident(s);
 - 6. reason for occurrence;
 - 7. what, if anything, the facility or other interested parties have done in response to the occurrence; and
 - 8. resident's goals and wishes vis-à-vis complaint resolution.

- C. In order to investigate, verify, and ultimately resolve a complaint, the LTCO shall take one or more of the following steps:
1. research relevant laws, rules, regulations, and policies;
 2. personally observe the situation and evidence;
 3. interview the resident and/or complainant;
 4. interview any staff, administration, physician, other residents and families;
 5. identify relevant agencies and interview and/or obtain information from their staff;
 6. examine any relevant records including clinical, medical, social, financial, and other records in keeping with access and confidentiality standards;
 7. review any other information available to the LTCO and pertinent to the investigation;
 8. consider the most appropriate time to conduct an on-site visit;
 9. consider combining these issues with other problems in the same facility, corporation, agency, or program; and,
 10. determine the sequence of investigatory steps.
- D. An investigation shall minimally include the following investigative activities:
1. an on-site visit to the facility;

2. face-to-face contact and interview with the resident(s) and/or his representative; and
 3. direct contact and interview with the complainant, which may be by a face-to-face contact, telephone call or by letter.
- E. The exceptions to the above investigative activities described in 502 (D) are as follows:
1. face-to-face contact with the resident is not required if the resident has expressly requested that s/he not be visited or contacted.
 2. direct contact with the complainant is not required if the complaint was made anonymously or if the complainant expressed request not to be contacted.
- F. The LTCO is not required to independently verify a complaint in order to seek resolution on behalf of a resident. Resident perception is a sufficient basis upon which a LTCO can seek resolution of a problem or complaint.
- G. Generally, facility visits for purposes of complaint investigation shall be unannounced.